

# ATTACHMENT B

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X		<b>REQUEST TO BE FILED UNDER SEAL</b>
UNITED STATES OF AMERICA,	:	
- v. -	:	<b>20 Cr. 15 (PKC)</b>
VIRGIL GRIFFITH,	:	<b>AFFIRMATION IN SUPPORT OF APPLICATION FOR</b>
	:	<b>ISSUANCE OF AN <i>EX PARTE</i></b>
Defendant.	:	<b>SUBPOENA PURSUANT TO</b>
	:	<b>RULE 17(c)</b>
-----X		

I, SEAN S. BUCKLEY, affirm under penalties of perjury  
pursuant to 28 U.S.C. § 1746:

1. I am an attorney representing defendant Virgil Griffith in the above-captioned case. I make this affirmation in support of an application for an order for the issuance of an *ex parte* subpoena, pursuant to Rule 17(c) of the Federal Rules of Criminal Procedure, to compel production of certain documents.

2. I respectfully request that the attached subpoena be issued commanding the production of copies of certain documents and records in the custody, possession and control of Verizon Wireless. Specifically, the person upon whom the proposed subpoena will be served, and the material sought, are as follows:

TO:

Verizon  
Attn: VSAT  
180 Washington Valley Road  
Bedminster, New Jersey 07921

FOR:

A list of any and all IP addresses associated with the email address dprk.un@verizon.net, and any logs or similar records of access to the email address dprk.un@verizon.net, for the period from November 1, 2018 to October 30, 2019.

3. Rule 17(c) provides that a court may direct that books, papers, documents or objects designated in the subpoena be produced "in court before trial or before they are to be offered into evidence. When the items arrive, the court may permit the parties and their attorneys to inspect all or part of them."

4. The requested records will be important in developing Mr. Griffith's defense in this matter and will therefore assist counsel in preparing for Mr. Griffith's case for trial.

5. I am requesting to file this *ex parte*, *in camera*, and under seal because it would prejudice Mr. Griffith to reveal to the government strategic judgments related to the fact investigation of Mr. Griffith's defense.

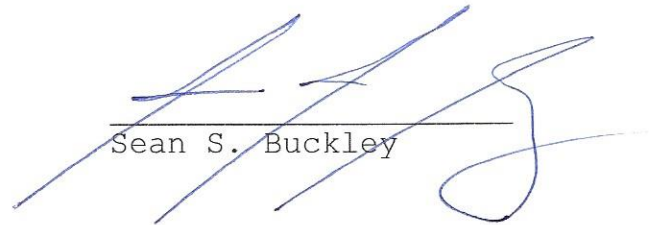
6. Therefore, I respectfully request that the attached *ex parte* subpoena be made returnable by 9 a.m. on April 30, 2020, at the offices of Baker Marquart LLP, 777 South Figueroa Street,

Suite 2850, Los Angeles, California 90017, or delivered via email to bklein@bakermarquart.com.

7. Pursuant to Local Rule 47.1, this is Mr. Griffith's first application for an *ex parte* order from this Court.

**WHEREFORE**, it is respectfully requested that this Court sign and issue the attached Order pursuant to Rule17(c).

Dated: New York, New York  
March 17, 2020



Sean S. Buckley